

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
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Marco VICIC et al.)	Group Art Unit: 1616
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Application No.: 10/612,916)	Examiner: Konata M. George
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Filed: Ju ly 7, 2003)	
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For: NAIL VARNISH)	Confirmation No.: 6931
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)	
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

VIA EFS-Web

Sir:

DECLARATION UNDER 37 C.F.R. § 1.132

I, Bouchra DINI, declare and state that:

1. I am a French citizen, residing at Chevilly-Larue, France.
2. I have been awarded a Diplôme Universitaire de Technologie of Organic Chemistry.
3. I have been employed by L'ORÉAL since 1998 and currently hold the position of Chemistry Technician at the Nail Varnish Applied Research laboratory of L'ORÉAL. During my employment at L'ORÉAL, I have been engaged in the research and development of nail varnish.
4. Given my education and experience, particularly in the area of nail varnish, I consider myself able to provide the following testimony based on experiments conducted by me or under my supervision:

TESTING

5. The organic solvent solubility of Sancure® 878 (now sold under the commercial name Avalure® UR 450) of Examples 1-4 of U.S. Patent No. 6,113,925 to de la Poterie ("de la Poterie") was measured. This testing was done in order to demonstrate that the film-forming polymer taught by *de la Poterie* (Avalure® UR 450) is not soluble in an organic solvent in an amount greater than 90% by weight at 25°C, as claimed.

TESTING PROCEDURE

6. A film of about 300 microns thickness of Avalure® UR 450 (about 38% dry matter) was formed in a Teflon mold, corresponding to about 100 microns of dry polymer.

7. After drying the polymer's film, a 1 cm² sample of the film was taken and placed in a flask containing 6 mL of butyl acetate at room temperature for 1 hour.

RESULTS

8. The film made from Avalure® UR 450 was insoluble in butyl acetate after 1 hour of immersion at room temperature .

9. The film made from Avalure® UR 450 was still insoluble in butyl acetate after 1 month at room temperature.

CONCLUSION

10. The test result shows that, Avalure® UR 450, the film-forming polymer taught by *de la Poterie*, is insoluble in an organic solvent in an amount greater than 90% by weight of polymer at 25°C.

11. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: 15/11/07

By: 

Bouchra DINI